

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
R. SCOTT WEIDE  
WEIDE & MILLER, LTD  
330 SOUTH 3RD STREET, SUITE 1130  
LAS VEGAS, NV 89101

## PCT

WRITTEN OPINION

(PCT Rule 66)

Applicant's or agent's file reference		Date of Mailing (day/month/year)
IGTECH.0056P		REPLY DUE
International application No.		within 2 months/days from the above date of mailing
PCT/US02/18861	International filing date (day/month/year) 12 June 2002 (12.06.2002)	Priority date (day/month/year) 15 June 2001 (15.06.2001)
International Patent Classification (IPC) or both national classification and IPC		
IPC(7): A63F 9/22; H04Q 7/24; A63F 9/24 and US Cl.: 463/40; 455/412; 463/42		
Applicant		
IGT		

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of relation with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

**When?** See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

**How?** By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

**Also** For an additional opportunity to submit amendments, see Rule 66.4.  
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.  
For an informal communication with the examiner, see Rule 66.6

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 15 October 2003 (15.10.2003)

Name and mailing address of the IPEA/US  
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Washington, D.C. 20231  
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Authorized officer

WILLIAM TROST

Telephone No. 703-305-3900

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Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703)305-3230	Authorized officer <b>WILLIAM TROST</b>  Telephone No. 703-305-3900
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Form PCT/IPEA/408 (cover sheet)(July 1998)

WRITTEN OPINION

International application No.

PCT/US02/18861

I. Basis of the opinion

1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☒ the description:  
 pages 1-15, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
 pages 16-18, as originally filed  
 pages NONE, as amended (together with any statement) under Article 19  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
 pages 1-2, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages NONE, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

WRITTEN OPINION

International application No.  
PCT/US02/18861

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>2, 4, 10, 12, 13</u>	YES
	Claims <u>1, 3, 5-9, 11, 14-18</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-18</u>	NO
Industrial Applicability (IA)	Claims <u>1-18</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Please See Continuation Sheet

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

## TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.

## V. 2. Citations and Explanations:

1. Claims 1, 3, 5-9, 11, 14-18 lacks novelty under PCT Article 33(2) as being anticipated by Comas (US 5,738,583).

- As to claim 1, Comas teaches a gaming device for presenting a game (figure 2) to a player comprising:
- a game device body (12);
  - a display screen supported by said body (28);
  - a processing unit located in said body, said processing unit including a processor (21) and a memory (20,23);
  - a wireless communication interface (11) associated with said processing unit, said wireless communication interface adapted to receive data and provide it to said processing unit, and to transmit data provided by said processing unit;
  - a player input device (27);
- wherein said processing unit receives game data from a remote location via said wireless communication interface, said game data utilized by said processing unit to present a game to said player including presenting game image information on said display screen and wherein said processing unit receives player input from said player input device and transmits said input to said remote location via said wireless communication interface (figure 6).
- As to claim 3, Comas teaches the gaming device in accordance with Claim 1 wherein said player input device comprises a keypad (figure 6, 27A-F).
- As to claim 5, Comas teaches the gaming device in accordance with Claim 1 including at least one sound producing device (figure 2, 29).
- As to claim 6, Comas teaches the gaming device in accordance with Claim 1 wherein said body is adapted to be hand-held (figure 2 and col.2, line 39-67).
- As to claim 7, Comas teaches a gaming system for presenting a game to a player (figure 1) comprising:
- a game server adapted to generate game data (31);
  - a hand-held gaming device (10A-C), said device including a display for displaying game information, a processor adapted to cause the display of said game information, a memory for storing game data received from said game server for use by said processor, and a communication interface for transmitting information from said hand-held gaming device and for receiving game information;
  - a gaming device interface (32) adapted to accept game data from said game server and transmit said game data to said hand-held device and adapted to receive information from said hand-held device.
- As to claim 8, Comas teaches the gaming system in accordance with Claim 7 including a transceiver associated with said gaming device interface (34).
- As to claim 9, Comas teaches the gaming system in accordance with Claim 7 including at least one additional server associated with said gaming device interface, said at least one additional server adapted to generate information for display by said hand-held

## Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

gaming device (figure 1, 36).

As to claim 11, Comas teaches the gaming system in accordance with Claim 7 wherein said communication interface of said hand-held gaming device comprises a wireless communication interface (figure 2, 11).

As to claim 14, Comas teaches the gaming system in accordance with Claim 7 wherein said hand-held gaming device includes at least one player input device (figure 6, 27A-F).

As to claim 15, Comas teaches the gaming system in accordance with Claim 7 wherein said hand-held gaming device includes at least one sound-generating device (figure 2, 29).

As to claim 16, Comas teaches the gaming system in accordance with Claim 7 wherein said game data generated by said game server is adapted to be executed by said processor of said hand-held gaming device (col. 4, lines 32-62).

As to claim 17, Comas teaches in combination, a gaming system and a game play device (10A-C), said gaming system comprising at least one game server (31) for generating game play information, said game play device (10A-C) comprising a portable body adapted to be transported by a user and including a processor (21), at least one display device and at least one player input device (27A-F), and including at least one two-way communication link provided between said at least one game server and said game play device over which game play information is transmitted from said at least one game server to said game play device for use in generating game play information displayed by said display and over which player input is transmitted from said game play device to said at least one game server (col. 2, line 39-col. 4, line 26).

As to claim 18, Comas teaches the combination in accordance with Claim 17 wherein said communication link comprises a wireless communication link (figure 1, 34).

2. Claims 2, 4, 10, 12 lack an inventive step under PCT Article 33(3) as being obvious over Comas in view of Bernstein (US 5,915,023).

As to claims 2 and 4, Comas teaches the gaming device in accordance with Claim 1. Comas fails to teach the player input device comprises a touch-sensitive display screen and a card reader. Bernstein teaches the player input device comprises a touch-sensitive display screen (col. 6, lines 42-49) and a card reader (col. 9, line 48-col. 10, line 7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Bernstein into the system of Comas in order to provide enhanced system performance of the interactive wireless gaming system.

As to claims 10 and 12, Comas teaches the gaming system in accordance with Claim 9 and 11. Comas fails to teach at least one additional server is adapted to generate financial transaction data and the wireless communication interface comprises an infrared light communication interface. Bernstein teaches at least one additional server is adapted to generate financial transaction data (col. 9, line 48-col. 10, line 7) and the wireless communication interface comprises an infrared light communication interface (col. 3, lines 12-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Bernstein into the system of Comas in order to provide enhanced system performance of the interactive wireless gaming system.

3. Claim 13 lack an inventive step under PCT Article 33(3) as being obvious over Comas in view of Couse (US 6,006,088).

As to claim 13, Comas teaches the gaming system in accordance with Claim 7. Comas fails to teach the communication interface comprises a USB communication interface. Couse teaches the communication interface comprises a USB communication interface (col. 6, lines 46-66). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Couse into the system of Comas in order to provide enhanced system performance of the interactive wireless gaming system.

## ----- NEW CITATIONS -----

US 6,006,088 A (COUSE) 21 December 1999, see column 2, lines 11-19.